



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: April 20, 2011

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl, City Clerk
Telephone: (209) 333-6702

6:55 p.m. Invocation/Call to Civic Responsibility. Invocations/Calls may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. These are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the Speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the beliefs or views of any speaker.

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6
- b) Pending Litigation: Government Code Section 54956.9(a); One Case; Ashley St. Clair, Individually and as Guardian Ad Litem for Jose Vargas, Jr., a Minor v. Robert Lee Hindmarsh, City of Lodi, et al., San Joaquin County Superior Court, Case No. 39-2011-00260663-CU-PA-STK

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Presentations

- B-1 For the Health of It Day Proclamation
- B-2 Acknowledgement of Police Officers Recognized by Mothers Against Drunk Drivers for Outstanding Efforts in Driving Under the Influence Arrests (PD)

C. Consent Calendar (Reading; Comments by the Public; Council Action)

- C-1 Receive Register of Claims in the Amount of \$8,631,586.40 (FIN)
- C-2 Approve Minutes (CLK)
 - a) March 16, 2011 (Regular Meeting)
 - b) April 5, 2011 (Shirtsleeve Session)
 - c) April 6, 2011 (Regular Meeting)
 - d) April 12, 2011 (Shirtsleeve Session)
 - e) April 12, 2011 (Special Meeting)

- C-3 Approve Request for Proposals and Authorize Advertisement for Final Design and Construction of Municipal Service Center Transit Vehicle Maintenance Facility Solar Power Project (PW)
- Res. C-4 Adopt Resolution Accepting Cable Rejuvenation for English Oak Subdivision, Phase One, Under Contract with UtilX, Inc. (EUD)
- Res. C-5 Adopt Resolution Authorizing the City Manager to Execute Contract for Maintenance of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for Fiscal Year 2011/12 with TruGreen LandCare, LLC, of Rancho Cordova (\$24,949.60) (PW)
- Res. C-6 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Neil O. Anderson & Associates, of Lodi, for Construction Testing and Inspection Services and Appropriating Funds (\$50,000) (PW)
- Res. C-7 Adopt Resolution Authorizing the City Manager to Execute Contract Change Order with Diede Construction, Inc., of Woodbridge, for Additional Work Related to the Central Plume PCE/TCE Remedial Measures Project (\$174,966) and Appropriating Funds (\$150,000) (PW)
- Res. C-8 Adopt Resolution Authorizing the City Manager to Terminate Lodi's Participation in the Seattle City Light Capacity and Energy Exchange Third Phase Agreement (EUD)
- Res. C-9 Adopt Resolution Authorizing the City Manager to Execute a Novation Agreement with JP Morgan Ventures Energy and Sempra Energy Trading LLC Transferring Interest in the Power Purchase Sales and Enabling Agreement Dated October 17, 2007, with Administration by the Electric Utility Director (EUD)
- Res. C-10 Adopt Resolution Recommending the California Citizens Redistricting Commission Place San Joaquin County within One Congressional, Two Assembly, and One State Senate District (CM)
- C-11 Authorize the Mayor, on Behalf of the City Council, to Send a Letter of Opposition to AB 438 – County Free Libraries: Withdrawal (Williams) (CM)

D. Comments by the Public on Non-Agenda Items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

E. Comments by the City Council Members on Non-Agenda Items

F. Comments by the City Manager on Non-Agenda Items

G. Public Hearings

- Res. G-1 Public Hearing to Approve the Final 2011/12 Action Plan for the Community Development Block Grant Program (CD)
- G-2 Public Hearing to Consider the Following Items: (CD)
- Res. a) Certification of the South Hutchins Annexation Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as Adequate Environmental Documentation for the Proposed South Hutchins Annexation Project;
- Res. b) Approve the South Hutchins Annexation Project, which Includes an Annexation and Pre-Zoning;
- c) Direct Staff to Prepare and Submit an Annexation Application to San Joaquin Local Agency Formation Commission

NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

H. Communications

- H-1 Appointments to the Lodi Improvement Committee and Senior Citizens Commission and Re-Post for Remaining Vacancy on the Lodi Improvement Committee (CLK)

I. Regular Calendar

- Res. I-1 Adopt Resolution Approving the Northern California Power Agency Natural Gas Program Agreement and Authorizing Execution by the City Manager and Administration by the Electric Utility Director (EUD)
- Res. I-2 Adopt Resolution Approving Updated Fees for Access and Use at Lodi Lake (PR)

J. Ordinances

- J-1 Take the Following Actions with Regard to Sale of Fireworks:
- Ord. a) Adopt Ordinance No. 1844 Entitled, "An Ordinance of the City Council of the City of Lodi Repealing and Re-Enacting Lodi Municipal Code Chapter 9.12 in its Entirety; Adding (Adopt) Chapter 9.13, 'Sale Of Fireworks'; and Further Amending Chapter 17.78, 'Certificates Of Occupancy,' by Adding Section 17.78.050, 'Temporary Event Permits'" (CLK)
- Res. b) Adopt Resolution Establishing Cost Recovery Fee Schedule for Fireworks Sales Permits (CA)

K. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Randi Johl
City Clerk